

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: MIDAMERICAN ENERGY COMPANY	DOCKET NO. EPB-02-156
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**ORDER DOCKETING PROCEEDING AND ESTABLISHING
PROCEDURAL SCHEDULE FOR FILING TESTIMONY**

(Issued April 26, 2002)

On April 1, 2002, MidAmerican Energy Company (MidAmerican) filed with the Utilities Board (Board) its multiyear plan and budget for managing regulated emissions from its electric power generating facilities located in Iowa that are fueled by coal. Pursuant to Iowa Code § 476.6(25) (2001 Supp.), the initial plan and budget was due by April 1 and updates to the plan and budget are to be filed at least every 24 months. The statute further provides that the initial multiyear plan and budget and any subsequent updates shall be considered in a contested case proceeding pursuant to Iowa Code chapter 17A.

The Department of Natural Resources (DNR) has an important role in the plan review process. Iowa Code § 476.6(25)"a"(4) provides, in part, that the DNR "shall state whether the plan or update meets applicable state environmental requirements for regulated emissions." If the answer is no, DNR shall recommend amendments that outline actions to bring the plan in compliance. The Board cannot approve a plan that does not meet applicable standards. Iowa Code § 476.6(25)"b."

To allow the Board time to fully consider MidAmerican's plan and budget, the Board will docket the filing as a formal contested case proceeding, identified as Docket No. EPB-02-156. A procedural schedule for the filing of testimony will also be established. Other aspects of the procedural schedule, including a hearing date, will be set by subsequent order. An order approving or rejecting the plan, update, or budget must be issued within 180 days after the filing is deemed complete, unless the time is extended for good cause. Iowa Code § 476.6(25)"d."

IT IS THEREFORE ORDERED:

1. An investigation is instituted to determine the reasonableness of MidAmerican Energy Company's multiyear plan and budget for regulating emissions from its coal-fired electric generating facilities located in Iowa. This matter will be identified as Docket No. EPB-02-156, a formal contested case proceeding. The expenses reasonably attributable to this investigation shall be assessed to MidAmerican in accordance with Iowa Code § 476.10 (2001 Supp.).

2. The following procedural schedule for filing testimony is established:

a. The Consumer Advocate Division of the Department of Justice (Consumer Advocate), the Department of Natural Resources, and any intervenors shall file prepared direct testimony, with underlying workpapers and exhibits, on or before June 28, 2002. If a party references a data request in its prepared testimony, the data request shall be filed as an exhibit.

b. MidAmerican shall file its rebuttal testimony, with underlying workpapers and exhibits, on or before July 19, 2002.

c. If Consumer Advocate, the Department of Natural Resources, and any intervenors find it necessary to file testimony in response to each other's direct testimony, they may file rebuttal testimony on or before July 19, 2002.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 26th day of April, 2002.